State of Michigan	Ticket No. 003443		/ictm
Uniform Law Citation	Incident No.	Dept. No.	oived
- A	Local Use/Arrest No.	Detection Devise	
The People of the State of Michigan  Township City Village County		00100001001001	
OF:		of	
THE UNDERSIGNED Month Day Yes	ar At approximately XAM. Date of Of P.M. Birth		50
State Onver's License Number	50 507 271 C	y No. 406	20
Raçe Sex Height Weight Hair	yes Occupation/Employer	20 102	20_
Name (First, Middle, Last)	rn Laborer		
Garage A. Whit	e, Jr.		
Street 140 Flint HWV	2		
City Classics	State	Zip Co	nde nLL
Vehicle Plate No. Year State	Vehicle Description (Year, Make, Colo	Typ	17
126		Beige +	<u> </u>
THE PERSON NAMED ABOVE, in violation of	Local Ordinance State Law	_Administrative	Rule
Deadstran	n Rd		
WITHIN CITY VILLAGE TOWNS	0 .		
COUNTY OF		DID THE FOLLOW	WING
MCL Cite/Pacc Code/ Type Ordinance Des	cription (include any bond amount collecte		harge No.
Misd Fug / 2 M	Total Callo		1
Fel Warv 621	paged 50/40		+
Misd Fug 7156	jeatbelt violat	ion	2
Cf Warn Authonization pend.	and the transfer	,	+
Misd Fug			3
TO THE COURT: Do not arraign on a fel	lony charge until an authorized con	aplaint is filed.	
Offense Code(s) 1 627 2 7	10E 3		
Key for Type: C/l = Civil Infraction Misd = Mi Waiv = Violation for Which Fines/Costs May t	isdemeanor Fel = Felony Warn = W be Waived Authorization pend. = Aut		
Remarks:		0	Ticke
		ŭ	, =
			2
CHECK IF APPROPRIATE Damage to Propert		W	)
☐ Vehicle Impounded ☐ Injury ☐ Traffic Crash ☐ Death	License Posted in Lieu of Bond Appearance Certificate	1	
Person in Active Miliary Service Yes N SEE DATE BELOW. SEE BACK OF, CITATIO	IO   None N FOR EXPLANATION AND INSTRU	CTIONS	
Appearance Date on or before 8/22/0	2 8:30 AM	5	Name
Hearing Date (if applicable) on	Formal Hearing Required. (Cour	ntact Court t will Notify)	_ °
in the 85th District Cour	t cound Benzie Co	unty '	
Court Address & Phone Number  448 Court Place	(231)882-9	1671	
Beulah, MI 496			
X I served a copy of the civil infraction complaint upon	the defendant (or owner/occupant by posting	if applicable).	Ca
I declare under the penalties of perjury that of my information, knowledge, and belief.	t the statements above are true to t	he best	Case No
Complainant's Signature and seceipt if applicat		Year	
Officer's Name (printed)	07 36 Officer's JO No.	02	
Arnold Blue	714		
Agency ORI Agency Name	. State Police		
MI- 0'11   10'11'17'	1. JIWY TOHLY		
(rev. 9/02)		1	

## 3.7 Sample Responses by Mail

This Section contains several examples of traffic citations and the cited defendant's letters of explanation accompanying them. The action taken in each case is summarized at the bottom of the letter of explanation.

## A. Citation and Letter Admitting Responsibility with Explanation

1. Sample Citation (Front)

Last First Middle	
Name:	
Distrct Court Change of address Citation No.  Register of Actions listed below	
Violation Date Case No.	
Bond History Per. Recog. Conditional Cash Surey 10% Cash RoamountValue of Bond: \$ Set by:	al Property
Appearance Attorney name	
Date: Retained Grant	Deny
Plea Admit Guilty Mute, Not Guilty Admit with Explanation Deny Not Guilty No Contest	
Hearing/Trial Date Formal Hearing Informal Hearing Jury Trial Non	Jury Trial
Hrg/Trial Date Time a.m.   Adjournment Date Time a.m.   Adjournment Date Time n.m.   D.m.	
	By Default
☐ Defendant ☐ Pros. Attorney ☐ Guilty ☐ Not Guilty ☐ As Charged ☐ Not	
Police Agency ☐ Def. Attorney ☐ Guilty as Amended ☐ Dismissed  Sentence ☐ State ☐ Ordinance	
Sentence State Ordinance Fine Court Costs   State Fees   Bond Fee   Other   Witness Fees Credit	Total
S S S S S S S S S S S S S S S S S S S	\$
Days   Credit Days   Payment Date   Installment Amount and Terms   \$	
Additional Sanctions	
Appeals	
Appeal Bond \$ Appeal to:	. Court
DATE ACTIONS, CASE NOTES	
DATE ACTIONS, CASE NOTES	Т
	z
	Name:
	-
	Last
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	First
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	Middle
	6
	Citation No
	lion
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Judge/Magistrate/Deputy Clerk	
COURT COPY	

### 3. Letter Admitting Responsibility with Explanation

1140 Flint Highway Flushing, MI 48433

July 26, 2002

To Whom It May Concern:

I wish to admit responsibility for this speeding citation with explanation of the circumstances.

My family and I were traveling on Route 31 while attempting to locate the Betsie River. As I passed through the village of Honor, I complied with the posted speed limit signs as they were observed. As I left the village and was on what I thought was open highway, I resumed my speed. I was not aware that I was still within the village limit (there is no sign or indication of where the village ends).

I attempted to explain to the officer that I was not familiar with the area, and by all appearances I was no longer in the village, but on an open highway.

I have had a clean driving record for many years, and feel that this is the result of inadequate identification of village limits.

Please consider these circumstances in any determination you make of this infraction.

Sincerely,

George A. White, Jr.

#### 4. Action Taken

The defendant signed the citation, admitted responsibility, and offered an explanation. The magistrate accepted the admission of responsibility, evaluated the explanation and imposed civil sanctions. A judgment was prepared and sent to the defendant.

The decision to mitigate sanctions in this case is up to the discretion of the magistrate. The magistrate should consider what a reasonable person from outside the area would have done in the defendant's situation, in light of the overall appearance of the roads and signs in question. The magistrate's own familiarity with the roads, signs, and speed limits in his or her own area is important in a case such as this one; the magistrate in this case might personally view the area where the infraction occurred in this case to assess the defendant's explanation. The defendant's unfamiliarity with the area might justify a mitigation of sanctions in this case, especially if the defendant's assertions about the inadequate signage and his clean driving record were true. However, an argument against mitigation might be that the defendant should have been extra careful driving near a village, in an unfamiliar area.

- B. Citation and Letter Explaining the Circumstances, but Not Admitting Responsibility
  - 1. Sample Citation (Front)

X c.i.	State of M	Michigan	Ticket No.	47365	7	Vict
MIS.	Uniform La	_	Inadent No.	- 202	Dept. No.	260
		444	Local Use/Arre	st No.	Offense Co	ode
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OF: N	orthville	e				of
HE UNDE	RSIGNED Mont	7 20 Ye	At approx	imately X A.M.		21 7
State	Driver's License	Number	20/ 20		curity No.	
Race	Sex Height V	Veight Hair E	yes Occupation	on/Employer_		
Varne (Fir	1 2 2 1	40 RIKE	orn Sa	25-50	a15	
T	onna	Michel	11e Gr	uen		
Street	3017 T	nda ne	indeni	~e.		
City	Noustlan			late AIT	40,2	ip Code
/ehicle Pla		Year State	Vehicle Descript	ion (Year, Make,	Color)	Type
DZ	0070	OZ MI		ord picke		PL
	ON NAMED ABOV	VE, in violation of	-	· ·	·	
JPON	S/B Ha	gaerty	-			
AT OR NE		z Rd.				
MITHIN [	CITY UVILL		SHIP OF	orthvill	e	
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_	a Crossation /	Bui	Iding Code	Speeding		
_	s Ordinance	Plu	ilding Code	Speeding Zone (forme	MPH in a	
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Name:	Last		First	Middle	
Distr	ct Court	Change of addres	s Citation No.		
Violation	of Actions	Date Delow	Case No.		
Bond History	Per Record	Conditional Cas	h Surey 109	K Cash De	al Process
Amount/Value of Appearance	Bond: \$	Set	y:	Requested:	- Property
=	mit Guilty	Mute, Not Guity	Retained Admit with Explain	Grant	Deny
Hearing/Trial	Date For	mal Hearing   Inform	al Hearing  Jury Tr	rial Non	Jury Trial
Hrg/Trial Date	Time a.m.	Adjournment Date Time	a.m. Adjoumme	ent Date Time	a.m.
Notices to:	Local Attor	ney Findings Re	sponsible Not Res		By Default
	y Def. Attorne			rged ∏ Nolk ed	Prosequi
	State State	Ordinance Fees   Bond Fee   Ott	ner   Witness Fee	es Credit	Total
S S S Credit	Days Payment C	S S	s ount and Terms	\$	\$
Additional Sancti	ms	s			
7-031019 35100					
Appeals Appea	Bond \$	Appeal to:			Court
DATE		ACTIONS, CAS	NOTES		
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		vanetalis de Pro-Silva			Citation No.
					No.
			٠.		
Judge/Magistrate	/Deputy Clerk				
		COURT CO	PY		

# 3. Letter Explaining the Circumstances But Not Admitting Responsibility

3817 Independence Westland, MI 48185

July 24, 2002

Court Clerk,

I am an instructor at Schoolcraft College. On my way to campus on the morning of the 20th of July, I received a ticket for making a left hand turn on a red light. When I entered the intersection, the light was still amber. I did not actually see the light turn red; however, I assumed it turned red while I was turning through the intersection.

This Haggerty-Six Mile intersection is usually quite backed up with cars turning left onto Six Mile. Many students leaving Schoolcraft head south on Haggerty to Six Mile. They then turn east onto Six Mile and enter I-275. This direction that many students head is also the direction that I head. Many cars enter this intersection on a solid red, whereas when I entered, the light was still amber.

Please consider the dismissal of this ticket.

Thank you.

Michele D. Green

#### 4. Action Taken

This citation, like the previous one, was signed by the defendant. However, because the defendant asked the court to "consider the dismissal of this ticket," she denied rather than admitted responsibility. Therefore, the court sent the defendant a letter regarding non-acceptance of admission with explanation (see Sections 3.5(B) and 3.8).

**Note:** A defendant's request that a ticket be dismissed should not automatically be treated as a denial of responsibility because defendants do not always understand the nuances of the statements they make. The magistrate should decide whether to treat such a request as a denial by reading the defendant's explanation in its entirety to see if the defendant's other statements are consistent with a denial. This letter was treated as a denial because the defendant asserted that the light was not red when she entered the intersection.

Care of Michigan	7.6
State of Michigan Uniform Law Citation	Victim Involved
US DOT # Inadent No. Dept. No.	100
Detection De	rvise
The People of: Uthe State of Michigan  Township  City Uvillage County	
OF: Frankfort BAC	f
THE UNDERSIGNED Month Day Year AL approximately A.M. Date Month Day	
SAYS THAT ON: 106 15 102 2:30 SP.M. Birth 0310	7150
State Driver's License Number  M. T. G., 202, 918, 1718, 914  Social Security No.	
Race Sex Height Weight Hair Eyes Occupation/Employer	
Ronald Alan Gray	
Street 22 July Pared Road	
23415 Regal NO30	Code
Cadillac MI 4914	
Vehicle Plate No.	Type, 1
3776 CF 102 MI 48 Chery pickup real	T- 2:1
THE PERSON NAMED ABOVE, in violation of Local Ordinance (State Law Administra	tive Rule
UPON Lake ST.	
AT OR NEAR MOIN ST.	
WITHIN ACITY   VILLAGE   TOWNSHIP OF FYANKFOYT	
COUNTY OF BONZIO DID THE FOR	LOWING
Type Ordinance Description (notude any bond amount collected on each change)	e) No.
&CI   War   Authorization pend More than one vehic	ein
How behind passenger veh	ide
C1 Warm Authorization pend.	2
Misd Fug	
C1 Warn Authorization pend.	
Misd Fug	3
TO THE COURT: Do not arraign on a felony charge until an authorized complaint is file	d.
Offense Code(s) 721 2	
Key for Type: Cfl = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug	= Fugitive
Warv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization	r .
	S S IIIckel
	20
	)
CMECK IF APPROPRIATE Damage to Property Local Court Bond \$	
Uservice Impounded ☐ Injury ☐ License Posted in Lieu of Bond ☐ Traffic Crash ☐ Death ☐ Appearance Certificate	A
Person in Active Miliary Service Yes No None	10
SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS	Ronalc
Appearance Date on or before	D C
Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)	
in one 25th District Ct. cound Michigan	Alan Gran
Court Address & Phone Number	Ħ
415 Third_St.	7
Manistee, MI 49660 (231) 723-5010	17,
I served a copy of the civil infraction completed upon the defendant (or owner/occupant by poeting of applicable).	3 5
I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.	Je No
Complainant's Signature and receipt if applicable Month Day Year	
Raymond Redd 06 15 02	
Officer's Native (printed) Raymond Redd Officers ID No.	
Agency GRI Agency Name	
MI 1040700 Frankfort P.D.	
UC-01a	
(rev. 9/02)	l
I and the second	

- C. Citation and Letter
  Explaining the
  Circumstances and
  Indicating an
  Admission of
  Responsibility
  - 1. Sample Citation (Front)

Last	First Middle	
Name:	Change of address Citation No.	
Distrct Court Register of Actions	listed below	
Violation	Date Case No.	
Bond History Per. Recog.  Amount/Value of Bond: \$	Conditional Cash Surey 10% Cash Re	al Property
Appearance Attorney name	Waived ☐ Requested: ☐ Retained ☐ Grant	Deny
Plea Admit Guilty	Mute, Not Guilty Admit with Explanation	Ueny
	y No Contest mal Hearing Informal Hearing Jury Trial Non-	Jury Trial
	mal Hearing	
p.m.	p.m. p.m. Not Responsible Not Responsible	p.m. By Defaul
Notices to: Local Attor  Defendant Pros. Attor		
Police Agency Def. Attorn	ey Guilty as Amended Dismissed  Ordinance	
ine   Court Costs   State	Fees   Bond Fee   Other   Witness Fees Credit	Total
Days   Credit Days   Payment	\$ \$ \$ \$ Date Installment Amount and Terms	\$
Additional Sanctions	\$	
Additional Sanctions		
Appeal Bond \$	Appeal to:	Court
DATE	ACTIONS, CASE NOTES	
		z
		Name:
		-
		-
4		
ludge/Magistrate/Deputy Clerk		
	COURT COPY	

# 3. Letter Explaining the Circumstances and Indicating an Admission of Responsibility

June 15, 2002

Gentlemen.

On June 15, 2002, I was pulling a large (26 foot) boat from Cadillac to Frankfort. On the way we encountered brake problems on the trailer.

Due to the steep hills between Benzonia and Frankfort, we were concerned about safety. We realized that on these hills there was a possibility of the brakes on my truck not being strong enough to keep the truck and trailer under control and at a safe reasonable speed.

Therefore, we tied the third vehicle (a fully operating and manned car) to the rear of the trailer to aid in braking the trailer down the steep grades, and keep it traveling down the grades in a very safe and controlled manner.

The third vehicle was not being towed, but was operating under its own power, and was only acting as a braking vehicle for the trailer.

We had all three required permits and flags, and the third vehicle stayed close enough to the trailer that a passing vehicle would not try to enter that space.

Sincerely,

Ronald Gray

### 4. Action Taken

The defendant signed the citation, in effect admitted responsibility in the third paragraph, and offered an explanation. The court found the defendant responsible under the applicable statute, MCL 257.721, and sent the defendant a copy of the statute to help explain the decision, along with a copy of the judgment entered. An argument against mitigation of sanctions would be the law's specific prohibition of the defendant's behavior, which was extremely dangerous.

- D. Citation and Letter Denying Responsibility
  - 1. Sample Citation (Front)

4 !		Ticket No.	0771	1	Victin
MIS. Uniform	of Michigan Law Citation	Incident No.	9226	Dept. No.	Involved
		Local Use/Arres	t No.	Offense Co	xde
The People of: the S			BAC	-	
OF: Crystal	Month Day Ye	ear At approxim	nately A.M. D	ate Month Da	of Yea
THE UNDERSIGNED SAYS THAT ON:	08 01 0	5:2	S RPM B	10 2	58
State Driver's Lic MI I S III Race Sex Heig	tense Number	143 90	Social Sect 444 n/Employer	168 37	214
Name (First, Middle, La	st) John	F. Sm	ith		
Street	2617	Alber-	<u> </u>		
City East L	ansina	M.	I I	489	BZ:
Vehicle Plate No.	Year State	Vehicle Description	on (Year, Make, C	· · · · · · ·	Туре
THE PERSON NAMED	ABOVE, in violation of	, 17	va Civi	C WIII.	- / /
Local Ordinance		dministrative Rul	e		
AT OR NEAR B	allows	-1,0.2			
WITHIN CITY	VILLAGE XTOWN	SHIP OF G	ystal La	ske	
COUNTY OF B	enzie	ilding Code	VSpanian 2	DID THE FO	LLOWIN
Licenses Ordinance	PI	umbing Code	Zone (former	y !	MPH Zor
	LEIG	ectrical Code	Disobey Traff	ic Signal	
Zoning Ordinance Sign, Lighting & Disp	olay Ordinance 🔲 Me	echanical Code	Disobey Stop	Sign	
Sign, Lighting & Disp Animal & Fowl Ordin	,	echanical Code efective Equipmen		Sign s License in Po	ssession
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# Last Middle Name: Change of address Citation No. Distrct Court listed below Register of Actions Violation Case No. Bond History Per. Recog. Conditional Cash Surey 10% Cash Real Property Amount/Value of Bond: \$ ☐ Waived ☐ Requested: ☐ Retained ☐ Grant ☐ Deny Appearance Attorney name Date: Admit Guilty Mute, Not Guilty Admit with Explanation Deny Not Guilty No Contest Plea Hearing/Trial Date Hrg/Tnal Date Time a.m. Adjournment Date Time a.m. Adjournment Date Time a.m. p.m. Local Attorney | Findings | Responsible | Not Responsible | By Default Notices to: Defendant Pros. Attorney Police Agency Def. Attorney Guilty Not Guilty Guilty as Amended As Charged Nolle Prosequi Ordinance State Court Costs | State Fees | Bond Fee | Other | S | S Witness Fees Credit \$ Installment Amount and Terms Credit Days Payment Date Additional Sanctions Appeals Appeal Bond \$ \_\_ \_\_\_ Appeal to: \_\_ Court ACTIONS, CASE NOTES DATE Lasi Judge/Magistrate/Deputy Clerk COURT COPY

### 3. Letter Denying Responsibility

August 4, 2002

Dear Mr. or Ms. Magistrate:

This letter is to inform the court that I plead innocent to Citation #X-0001 of Department #910-82 on 8-01-02 at 5:25 p.m. I deny responsibility for this citation.

I was traveling westbound on South Shore immediately after traveling on US 31 north and connecting routes local to South Shore. I had been traveling four hours at 55 mph from Lansing, where I am a student. My eyes were to the left of the South Shore Road at that time. I never crossed the midline or road shoulder. My speed was 30 mph to my recollection. I never saw any speed limit road signs. Later, I noticed them on the right side of the road. I would have yielded to the speed limit with careful compliance had I seen them. They were not, to my knowledge, highly visible or I would have noticed.

After I was ordered to stop by an officer, I left my car to ask why I was stopped. After explanation of the radar speeds I was measured at, I tried to explain my unfamiliarity with the area and my disadvantage of not seeing any local traffic for reference, but I was verbally abused by the officer for my explanation. The officer threatened bodily harm to me and a witness in my car, made threatening remarks about incarcerating the two of us for no apparent reason, and performed a search of our car for alcohol without cause or necessity. I agreed with my friend who is an attorney that Officer Max Radar (I.D. #77) was overly aggressive vocally and bodily, excessively slow in his execution of due process, and to us a disappointment in criminal law enforcement judgment for citing a visitor for 10 mph over the limit without evidence of danger to local traffic or the public.

I am appealing to the court to dismiss this citation for the following reasons:

- 1) Poor placement and visibility of speed signs
- 2) The fact that there was no local traffic at the time of citation
- 3) The speed was not a reckless speed and was unnoticed due to a local beach attraction and "conditioning "from hours of freeway travel
- 4) The defendant's unfamiliarity with the local areas of drastic speed reductions.

I will not be able to attend any court sessions in Frankfort due to final exams during the weeks of August 27 and September 3.

I hope the court will do justice.

Sincerely,

John Smith, M.A.

#### 4. Action Taken

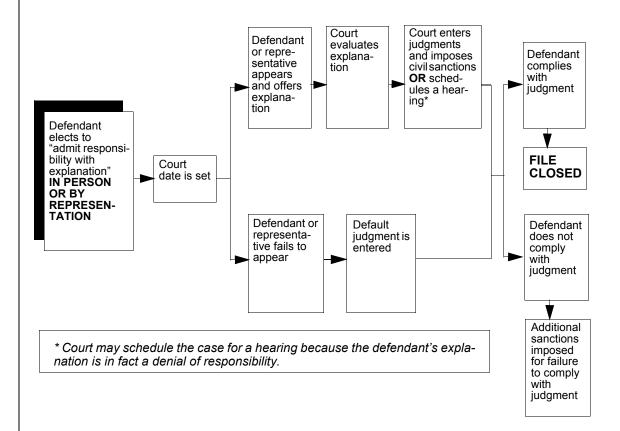
The defendant did not sign the citation and denied responsibility in the letter. Therefore, the court scheduled an informal hearing and sent the defendant a notice. The hearing date was set to avoid a conflict with final exams during the weeks of August 27 and September 3.

# 3.8 Sample Non-acceptance of "Admission with Explanation"

District Court of the State of Michigan District Nine - First Division
416 South Rose Street Kalamazoo, Michigan 49007 Telephone 385-8083
Re: Non-Acceptance of "Admission with Explanation"
We have received your "Admission of Responsibility with Explanation" for traffic citation # which was recently issued to you.
However, from a review of your explanatory statement, it appears that you are not admitting responsibility for the violation charged but are instead contesting the charge. We are therefore returning the citation and your signed "Admission" to you.
If you are in fact contesting the charge, you have a right to a Hearing (formal or informal) as set forth on the reverse side of the traffic citation and you may schedule such a Hearing in person, by mail or telephone (phone number) on or before (date). If, on further reflection, you do not wish to have a Hearing, you may return the traffic citation to us on or before (date) and the Court will then accept the same and assess fines and costs.
If we do not hear from you by (date), a default judgment will then be entered against you and a civil sanction assessed in the amount of \$
Sincerely yours,
Magistrate

### 3.9 Flow Charts

A. Admission of Responsibility with Explanation in Person or by Representation



### B. Admission of Responsibility with Explanation by Mail

